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COMPLAINTS POLICY



Accord

MULTI ACADEMY TRUST

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Approvals			
Name	Position	Signature	Date
A Warboys	CEO	<i>A Warboys</i>	27 March 2023
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Version	Date	Author	Note of Revisions
1	July 2017		N/A
2	Jan 2019		Clarity between ownership at Stages Three and Four
3	July 2019		Section 5.3.4 – final sentence added, Sections 6.8 and 6.10 added for clarity on the panel process Update of wording throughout (referring to Trustees, Principal, Chair of Governors)

4	July 2020	Board of Trustees	Reviewed – no changes
5	March 2021	Board of Trustees	Reviewed and changes made to: <ul style="list-style-type: none"> - Section 2.8 – detail on confidentiality requirements. - Section 5 - Timescale for management of a complaint at the informal stage. - Section 6.7 - Further detail on make-up of a Complaints Panel at Stage 4. - Section 6.14 - Further details on the requirements of a Stage 4 Panel.
6	March 2023	Board of Trustee	Reviewed and changes proposed to: <ul style="list-style-type: none"> - Section 2.12, 5.2.10 and 5.3.5 – detail on appointment of Lead Investigator. - Section 6.11 – clarity on COO attending Stage 4 Panels. - Section 7 – additional link to ESFA added and clarity on exhausting the Trust Complaint's Policy.

1. Introduction

- 1.1 The Trustees of the Accord Multi Academy Trust (the Trust) have a duty to establish a procedure for dealing with general complaints and to ensure these are publicised to parents/carers and other stakeholders.
- 1.2 The Trust undertakes to provide a friendly and safe environment in all our Academies in which pupils will be helped to achieve their potential, both academically and socially. We recognise, however, that sometimes things can go wrong, and parents/carers and members of the public may need to make a complaint or raise concerns they have with an individual Academy or with the Trust.
- 1.3 This policy tells you what to do if this happens. This policy is intended to reflect the process for dealing with general complaints to an individual Accord MAT Academy or to the Trust. However, some complaints are subject to separate statutory procedures instead of the general complaints procedure i.e. Admissions, Special Educational Needs (SEN), Child Protection, Exclusions, Whistleblowing, Staff Grievances and Disciplinary Procedures. Moreover, this policy does not relate to matters where principles of civil contract law would normally apply e.g. service/supply contracts entered into with an Academy / the Trust.
- 1.4 This policy is available via the Accord MAT website at: [Key Information - Accord \(accordmat.org\)](https://www.accordmat.org) and also on each individual Academy website.
- 1.5 This policy will be implemented at all Accord MAT Academies and the central Trust team.
- 1.6 If you wish to raise a concern, in the first instance you should contact the appropriate staff member at the individual Academy. Should you have a general concern or wish for independent advice and guidance at any stage of the process, please contact complaints@accordmat.org and the Accord MAT Chief Operating Officer or their team will advise you appropriately.

2. General Principles

- 2.1 The aim of this policy is to balance the rights and responsibilities of pupils, students, parents/carers and Academy staff, and to recognise that responsibilities rest with each of these.
- 2.2 The majority of issues raised by parents/carers, the community or pupils/students, are concerns rather than complaints. We are committed to resolving all concerns and complaints at the earliest possible point in the process, informally where possible, and where this is not possible, at the earliest point within the formal process.
- 2.3 Any formal complaint must be raised within 3 months of the incident occurring. If a complaint is older than 3 months, it will only be investigated in exceptional circumstances.
- 2.4 Complaints will be dealt with as quickly as possible, consistent with fairness to all.

- 2.5 Complaints will be treated seriously and courteously and given the time necessary for the complainant to feel that the matter has been dealt with properly. It is important that the complainant has confidence in these procedures and knows that the matter will be investigated fully.
- 2.6 Any member of staff who is complained about will have the opportunity to respond to the complaint during the investigation and will be able to see any response sent as a result of the investigation. If, however, during the course of considering a complaint, the Lead Investigator concludes that disciplinary procedures should be initiated, they will consider this as a separate action, as there is an entirely separate procedure to follow in terms of dealing with staff disciplinary matters. Complainants will be informed that the issue is being dealt with separately and outside of the Complaints Policy, but any further information will remain confidential.
- 2.7 Confidentiality must be maintained at all times. All conversations and correspondence must be treated with discretion. Parents/carers must feel confident a complaint will not disadvantage their child. All parties to a complaint will need to accept that some sharing of information will be inevitable if the complaint is to be investigated fully.
- 2.8 Correspondence, statements and records relating to individual complaints will be kept confidential except where the Secretary of State or a body conducting an inspection under section 109 of the 2008 Act request access to them.
- 2.9 All designated staff, Governors and Trustees are trained to raise awareness of the Academy's / Trust's procedures and to develop their skills in dealing with people who wish to complain.
- 2.10 Complainants should limit the number of communications with the Academy / Trust while a complaint is being progressed.
- 2.11 All complaints will be logged and monitored to allow the Academy and the Trust to improve processes and practice in a positive manner.
- 2.12 The Trust reserves the right to determine that the Lead Investigator at each formal stage of the process is independent and appropriate for that stage of investigation e.g. Principal, Headteacher, Senior Leader, Chair of the Governors, Trust CEO or member of the Trust Central Team and a Lead Investigator may be appointed from a different Trust Academy should this be deemed appropriate in the circumstances of the complaint.
- 2.13 All Complaints Panels will aim to be convened within the agreed timescales subject to the availability of the complainant and the panel members. If a panel cannot be convened in a timely manner from the Governors of the Academy in question, Governors from other Accord MAT Academies and/or Trustees may be asked to attend the panel meeting. All Complaints Panels will also include an independent panel member who is independent of the management and running of the Accord MAT.

3. Complaints dealt with outside of the Complaints Policy

Subject Matter	Relevant Policy / Procedure
Complaint by member of Academy/Trust staff	Accord MAT Grievance Policy
Pupil Exclusion	Right to make representations about fixed term exclusions to Governors' Exclusion Committee. Right of appeal to independent panel for permanent exclusion.
Admission to Academy	Academy Admissions Policy with right of appeal to independent panel if admission refused.
Child Protection	Accord MAT Child Protection Policy.
Special Educational Needs	<p>Special circumstances may apply in relation to certain aspects of a SEND related complaint. Please contact the Academy SENDCo for further information in the first instance.</p> <p>LA statutory assessment procedures apply if parent requests an EHCP. Right of appeal to independent SEN Tribunal via https://wakefield.mylocaloffer.org/s4s/WhereLive/Council?pagelD=4020</p>
Staff HR / conduct matters	Accord MAT Disciplinary Policy
Internal assessment decisions in relation to external qualifications	Examination Board procedures

4. Unreasonable Complaints

4.1 The majority of individuals with complaints or concerns about the Academy / Trust behave reasonably in pursuing their complaint. This means that they:

- treat all Academy / Trust staff with courtesy and respect;
- respect the needs of pupils/students and staff within the Academy / Trust;
- avoid the use of violence (including threats of violence) towards people and property;
- do not use intimidating/aggressive behaviour or inappropriate language towards Academy / Trust staff;
- recognise the time constraints under which members of staff work and allow the Academy / Trust a reasonable time to respond to a complaint;
- recognise that resolving a specific problem can sometimes take some time;

- follow the Trust's complaints procedures.

However, a small number of complainants may be deemed “unreasonably persistent complainants”. This means that, in complaining about issues, either formally or informally, they behave unreasonably, for example by:

- actions which are obsessive, persistent, harassing, prolific, repetitious; and/or
- prolific correspondence or excessive e-mail or telephone contact about a concern or complaint; and/or
- using social media to make comments in relation to the complaint, the Academy / Trust or individuals that work with the Academy / Trust;
- an insistence upon pursuing unmeritorious complaints and/or unrealistic or unreasonable outcomes; and/or
- an insistence upon pursuing meritorious complaints in an unreasonable manner.

4.2 A complaint may be regarded as unreasonable or disregarded if the complainant:

- is anonymous;
- refuses to articulate their complaint or to specify the grounds of the complaint;
- refuses to co-operate with the complaints investigation process while still wishing for their complaint to be resolved;
- refuses to accept that certain issues are not within the scope of the complaints procedure;
- insists on the complaint being dealt with in ways which are incompatible with the complaints procedure or good practice;
- introduces trivial or irrelevant information or raises large numbers of detailed but unimportant questions to be dealt with to their own timescales;
- makes unjustified complaints about staff who are trying to deal with the issues and seeks to have them replaced;
- changes the basis of the complaint as the investigation proceeds;
- repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed);
- refuses to accept the findings of the investigation into that complaint where the Trust complaints procedure has been fully and properly implemented and completed, including referral to the Education Skills and Funding Agency;
- seeks an unrealistic outcome;
- makes excessive demands on Academy / Trust time by frequent, lengthy, complicated and stressful contact with staff regarding the complaint, in person, in writing, by email and / or by telephone while the complaint is being dealt with.

4.3 A complaint may also be considered unreasonable if the complainant does so in any of the following manners or circumstances:

- maliciously;
- aggressively;
- using threats, intimidation or violence;
- using abusive, offensive or discriminatory language;
- knowing it to be false;
- using falsified information;
- publishing unacceptable information in a variety of media such as social media websites and newspapers.

- 4.4 Whenever possible, the Principal / Headteacher /CEO (or representative) will discuss any concerns with the complainant informally before applying an ‘unreasonable’ marking.
- 4.5 If the behaviour continues, the Academy / Trust will write a formal letter explaining that their behaviour is unreasonable and asking the complainant to change it. The Academy / Trust may specify methods of communication and limit the number of contacts with the Academy / Trust in a communication plan. This will usually be reviewed after 6 months.
- 4.6 Should a complaint meet the criteria as “unreasonable” with reference to section 4 of the Complaints Policy, this will be stated in a formal letter to the complainant and there would be no grounds for the complaint to be escalated further.
- 4.7 In response to any serious incident of aggression or violence, the concerns and actions will be put in writing immediately and the police informed. This may result in banning an individual from the Academy and/or other Trust premises.

5. Summary for Dealing with General Complaints

The Accord Multi Academy Trust Complaints Policy has four main stages as detailed in the table below.

Each stage should be completed before progressing to the next stage.

Stage	Detail	Outcome for Complainant
Stage One: Informal	<p>Expression of concern is raised to an appropriate member of Academy / Trust staff and escalated where appropriate at an informal stage to designated members of Academy / Trust staff.</p> <p>Wherever possible informal concerns and / or complaints will be considered and responded to within 10 school days of the matter being brought to the academy’s attention.</p>	<p>If a satisfactory outcome is reached, no further action required.</p> <p>If outcome is not satisfactory, proceed to formal stages.</p>
Stage Two: Formal Investigation	<p>Complainant submits a formal complaint using Stage Two Complaint Form, within 3 months of the incident.</p>	<p>If a satisfactory outcome is reached, no further action required.</p>

	<p>Acknowledgement sent within 5 school days.</p> <p>Investigation conducted by Lead Investigator, with the outcome of the complaint to be reviewed by the Principal / Headteacher.</p> <p>Outcome reported to the complainant and the Chair of Governors in writing within 15 school days.</p>	<p>If outcome is not satisfactory, proceed to Stage Three.</p>
<p>Stage Three: Formal Chair of Governors Investigation</p>	<p>Complainant submits complaint using Stage Three Complaint Form, to Chair of Governors within 10 school days of receiving the response to the Stage Two Investigation.</p> <p>Acknowledgement sent within 5 school days.</p> <p>Investigation conducted by Chair of Governors.</p> <p>Outcome reported to the complainant and the Accord MAT in writing within 15 school days.</p>	<p>If a satisfactory outcome is reached, no further action required.</p> <p>If outcome is not satisfactory, proceed to Stage Four.</p>
<p>Stage Four : Formal Governors Complaints Panel</p>	<p>Complainant submits complaint using the Stage Four Complaint Form, to the Chief Operating Officer, within 10 school days of receiving the response of the Stage Three investigation.</p> <p>Acknowledgement sent within 5 school days.</p> <p>Complaints Panel is convened within 20</p>	<p>There is no further right of appeal.</p> <p>If the complainant considers that the complaints procedure has not been followed correctly, they may contact the ESFA.</p>

	<p>school days of complaint being received.</p> <p>One panel member to be independent of the management and running of the Academy and the Accord MAT.</p> <p>The complainant and the Academy/Trust will be notified of the Complaints Panel decision within 15 school days of panel taking place.</p>	
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5.1. Stage One - Informal

- 5.1.1. The vast majority of concerns and complaints can be resolved informally, often straight away by the appropriate member of staff.
- 5.1.2 Parents/carers must feel able to raise concerns with members of staff without any formality, either in person, by telephone, by email or in writing. On occasion it may be appropriate for someone to act on behalf of a parent.
- 5.1.3 The complaint should be raised with the appropriate member of staff in the first instance.
- 5.1.4 It is important for the complainant to recognise that the Academy is a busy organisation and whilst we will do our best to offer face to face meetings, it may not be possible to offer an appointment immediately.
- 5.1.5 Where the concern relates to the specific actions of the Principal / Headteacher or Chair of Governors, then they should be given the opportunity to respond as above before proceeding to Stage Two.
- 5.1.6 On occasion, the concern raised may require an informal investigation or discussion with other members of staff to refer the matter to someone else. In this case the member of staff will need to make a clear note of the date, name and contact address/phone number of the complainant. In this case we would expect you would receive an informal response to the investigation and be kept informed at regular intervals. The vast majority of concerns will be satisfactorily dealt with in this way.
- 5.1.7 Where no satisfactory solution has been found on receipt of the informal response, the complainant should be asked if they wish for their concern to be considered further. If so, they should be advised about how to proceed with their complaint and about any independent advice available to them.

5.2 Stage Two – Formal Investigation

- 5.2.1 If the complaint cannot be resolved on an informal basis, a formal Stage Two Complaints Form should be completed and sent to the Principal / Headteacher of the Academy. This form can be found at Appendix 1. This form should be completed within 3 months of the incident. This may be completed by the complainant or by a member of Academy staff on behalf of the complainant.
- 5.2.2 The Principal / Headteacher or appropriate Trust central team member will appoint a Lead Investigator.
- 5.2.3 An acknowledgement of receipt of a complaints form will be sent within 5 school days of receipt of the form, with a copy of the complaints form and a target date for providing a response to the complaint by the Lead Investigator.
- 5.2.4 Where required, the Lead Investigator will interview witnesses and take statements from those involved. If the complaint centres on a pupil, the pupil should also be interviewed.
- 5.2.5 The Lead Investigator may designate another independent member of staff to collect some or all of the information from the various parties involved.
- 5.2.6 Once all relevant facts have been established, the Lead Investigator will summarise the case.
- 5.2.7 The Principal / Headteacher or appropriate Accord MAT central team member will respond formally on behalf of the Academy or Trust, to a Stage Two complaint, in writing. This will normally be within 15 working days. The Principal / Headteacher may wish to meet the complainant to discuss/resolve the matter directly or ask the Lead Investigator to do so. This meeting may be formally minuted. If appropriate at this stage, the meeting will agree what action the Academy will take to resolve the complaint and the agreed timescales.
- 5.2.8 The written response will include a full explanation of the decision and the reasons for it. Where appropriate, this will include what action the Academy will take to resolve the complaint and the agreed timescales. Where this is not possible, a letter will be sent to the complainant explaining the reasons for the delay and giving a revised target date.
- 5.2.9 If the Stage Two complaint is in relation to the Principal / Headteacher, it will immediately pass to Stage Three for investigation by the Chair of Governors.
- 5.2.10 The Accord MAT reserves the right to ensure that the Lead Investigator at each formal stage of the process is independent and appropriate for that stage of investigation e.g. Senior Leader, Principal, Headteacher, Chair of Governors, Trust CEO or member of the Trust Central Team and they may be appointed from a different Trust Academy should this be deemed appropriate in the circumstances of the complaint.

5.3 Stage Three – Chair of Governors Formal Investigation

- 5.3.1 If a complainant is dissatisfied with the outcome of the Stage Two response in respect of their complaint, they will need to write to the Chair of Governors, giving details of the complaint using the Stage Three Complaints Form, within 10 school days of Stage Two response. This form can be found at Appendix 2.
- 5.3.2 The appeal should outline clearly why the complainant feels their case has not been dealt with satisfactorily. For Academy related issues this should be addressed to the Chair of Governors . For Accord MAT related issues this should be addressed to the Chair of Trustees.
- 5.3.3 The Chair of Governors or designated person must only review the initial complaint. Any further complaints that have arisen during this process have to be dealt with by separate complaints to the Academy at Stage 1 of the Complaints Process.
- 5.3.4 The Chair of Governors or designated person will review the complaint and if required, conduct a further investigation. The Chair of Governors will respond to a Stage Three complaint in writing. This will normally be within 15 school days. If further time is required to resolve the complaint at Stage Three, the complainant will be notified. The complaint cannot be moved to Stage Four until the Chair of Governors has fully responded to all aspects of the complaint at Stage Three.
- 5.3.5 The Trust reserves the right to ensure that the Lead Investigator at each formal stage of the process is independent and appropriate for that stage of investigation e.g. Principal, Headteacher, Chair of the Governors, Trust CEO or member of the Trust Central Team and they may be appointed from a different Trust Academy should this be deemed appropriate in the circumstances of the complaint.

6. Stage Four – Formal Governors Complaints Panel

- 6.1 Should the complainant be unhappy with outcome of the Stage Three Investigation, a request can be made to hold a Stage Four Complaints Panel using the Stage Four Complaints Form. This form can be found at Appendix 3. The completed form should be sent to the Trust Chief Operating Officer at complaints@accordmat.org within 10 school days of the Stage Three response.
- 6.2 The completed form must include the reasons why the complainant believes the complaint is unresolved by the Stage Three procedure, along with solutions suggested to resolve the complaint.
- 6.3 The request for appeal will be acknowledged in writing within 5 school days stating the date of the Stage Four Complaints Panel.
- 6.4 The Stage Four Complaints Panel must only review the initial complaint. Any further complaints that have arisen during this process have to be dealt with by separate complaints to the Academy at Stage 1 of the complaints process.

- 6.5 Where there are reasonable grounds for a complaint to be escalated to a panel in line with Stage Four of the policy, the Chief Operating Officer will instruct the designated member of staff acting as Clerk to convene a Complaints Panel. This will be chaired by a Governor who is independent of the complaint, or a Governor of another Trust Academy or a Trustee if required. This will usually take place within 20 school days of the request for a Stage Four Complaint Panel.
- 6.6 The Complaints Panel will aim to be convened within the agreed timescales subject to the availability of the complainant and the panel members. If a panel cannot be convened in a timely manner from the Governors of the Academy in question, Governors from other Trust Academies and/or Trustees may be asked to attend the panel hearing.
- 6.7 All Complaints Panels will consist of at least three people who were not directly involved in the matters detailed in the complaint or involved in any previous stages of investigating the complaint. All Complaints Panels will include a panel member who is independent of the management and running of the Trust.
- 6.8 The Complaints Panel hearing will be held in private. The aim of the hearing will always be to resolve the complaint and achieve reconciliation between the Academy and the complainant. However, it has to be recognised that the complainant may not be satisfied with the outcome if the hearing does not find in their favour. It may only be possible to establish the facts and make recommendations which will satisfy the complainant that their complaint has been taken seriously.
- 6.9 The complainant will be given the opportunity to present their case to the Panel. The complainant may wish to be accompanied at the panel hearing.
- 6.10 The Principal / Headteacher and Chair of Governors will also be given the opportunity to present their case.
- 6.11 The Principal / Headteacher and Chair of Governors and the Complainant will not be present when the Panel is making their decision. The panel will be supported by the designated member of staff acting as Clerk to the Panel, and may refer to the Chief Operating Officer (who will also be present for procedural purposes) for impartial advice if required.
- 6.12 The Panel may choose to reconvene at other times to discuss their findings and any recommendations.
- 6.13 The Complaints Panel will:
- Dismiss the complaint, in whole or in part; or
 - Uphold the complaint, in whole or in part.
- 6.14 The Complaints Panel must also:
- Decide on the appropriate action to be taken to resolve the complaint where it is not dismissed in whole;

- Make recommendations to changes to the Academy/Trust's systems or procedures to ensure that problems of a similar nature do not recur where the complaint is not dismissed in whole.
- Make findings as a result of the complaint and ensure that a copy of these findings and any recommendations are:
 - Available for inspection on the academy premises by the Board of Trustees and the Principal / Headteacher;
 - Provided in a written format.

6.15 All parties will be notified of the Panel's decision in writing within 15 school days after the date of the Panel meeting. This includes the complainant; the Chair of Governors, the Academy Principal / Headteacher, and where relevant the person complained about. It will also be reported to Accord Board of Trustees.

6.16 This is the final stage of the Complaints Procedure. The decision of the Panel is final. If the complainant remains unsatisfied they may take their complaint to the Education and Skills Funding Agency (ESFA). See Section 7.

7 Further Action

7.1 We hope that we will be able to resolve any complaint concerning the Trust or its Academies using this policy.

7.2 If a complainant has exhausted the Trust's Complaints Policy and they feel this is not the case, complainants may refer to the Education Skills and Funding Agency (ESFA) which handles complaints about Academies and Free Schools.

7.3 The following links provide guidance on this:

<https://www.gov.uk/government/publications/complain-about-an-academy>

[Complaints procedure - Education and Skills Funding Agency - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/complaints-procedure-education-and-skills-funding-agency)

8. Policy Review

8.1 Trustees will review the policy, its implementation and effectiveness at least every two years or where ESFA guidance or recommended codes of practise dictate a review.

APPENDIX ONE
ACCORD MAT STAGE TWO COMPLAINT FORM

(Please complete and return for the attention of Principal / Headteacher)

Your Name:	
Pupil's Name:	
Your relationship to the pupil:	
Address:	
Postcode:	
Daytime telephone number:	
Evening telephone number:	
Please give details of your complaint:	

What action, if any, have you already taken to try and resolve your complaint?
(Who did you speak to and what was the response?)

What actions do you feel might resolve the problem at this stage?

Are you attaching any paperwork/evidence? If so, please give details.

Signature:
Date:
Academy Use Only
Date acknowledgement sent:
By who:
Complaint referred to Lead Investigator:
Date:

For a Word version of this form please contact complaints@accordmat.org

APPENDIX TWO

ACCORD MAT STAGE THREE COMPLAINT FORM

If you are not satisfied with the decision of the Stage Two Investigation, please complete this form and return it to the Chair of Governors.

This form should be completed and submitted within 10 school days of receipt of the Stage Two response for the complaint to be progressed.

Your Name:	
Date Stage Two response received:	
Please give details of why you are not satisfied with the Stage Two response:	
What actions do you feel might resolve the problem at this stage?	

Are you attaching any new paperwork/evidence? If so, please give details.

Signature:

Date:

Academy Use Only

Date acknowledgement sent:

By who:

Complaint referred to Chair of Governors/Accord MAT Date:

For a Word version of this form please contact complaints@accordmat.org

APPENDIX THREE

ACCORD MAT STAGE FOUR COMPLAINT FORM

If you are not satisfied with the decision of the Stage Three response, please complete this form and return it to the Chief Operating Officer at complaints@accordmat.org

This form should be completed and submitted within 10 school days of receipt of the Stage Three response for the complaint to be progressed.

Your Name:	
Date Stage Three response received:	
Please state the reason you are not satisfied with the Stage Three response:	
Signature:	
Date:	
Academy Use Only	
Date acknowledgement sent:	
By who:	

For a Word version of this form please contact complaints@accordmat.org